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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:

Applicant: Poustka, et al.

Serial No.: 09/914,549

Filing Date 24 August 2001

International Filing Date: 28 February 2000

Title: PROTEIN (TP) THAT IS INVOLVED IN  
THE DEVELOPMENT OF THE  
NERVOUS SYSTEM

Atty. Docket No.: 4121-129



23448

PATENT & TRADEMARK OFFICE

EXPRESS MAIL CERTIFICATE

I hereby certify that I am mailing the attached documents to the Commissioner  
for Patents on the date specified, in an envelope addressed to the  
Commissioner for Patents, Box PCT, Washington, DC 20231, and Express  
Mailed under the provisions of 37 CFR 1.10.

*Lee Ann Brown*

Lee Ann Brown

June 5, 2002

Date

EL685120232US

Express Mail Label Number

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS FOR U.S. PATENT  
APPLICATION NO. 09/914,549

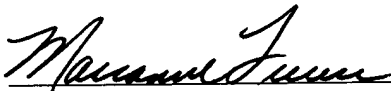
Commissioner for Patents  
Box PCT  
Washington, DC 20231

Sir:

Responsive to the May 29, 2002 Notification of Missing Requirements, the following documents are enclosed and submitted herewith:

- 1) Statement of Identity
- 2) Sequence Listing (paper copy & diskette)
- 3) Executed Declaration and Power of Attorney
- 4) Copy of May 29, 2002 Notification of Missing Requirements
- 5) IPTL Check No. 09469 in the amount of \$425.00 for late filing fee for Declaration and Power of Attorney and additional claims fees

Respectfully submitted

  
Marianne Fuierer  
Reg. No. 39,983  
Attorney for Applicants

INTELLECTUAL PROPERTY/  
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Attorney Ref: 4121-129



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
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|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 09/914,549                  | Annemarie Poustka     | 4121-129         |

|                               |
|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

PCT/DE00/00583

|                  |               |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|

02/28/2000

02/26/1999

Steven J. Hultquist  
Intellectual Property/Technology Law  
P.O. Box 14329  
Research Triangle, NC 27709

CONFIRMATION NO. 9711

## 371 FORMALITIES LETTER



\*OC000000008180610\*

Date Mailed: 05/29/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE**

OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
  - The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)
- Additional claim fees of **\$360** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$425** for a Small Entity.

05/11/2002 SHAWARD 00000000 00000000

01 FC:254  
02 FC:360  
03 FC:367  
04 FC:130

- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$360**
  - **\$225** for **43** total claims over 20.
  - **\$135** for multiple dependant claims surcharge.
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 09/914,549                  | PCT/DE00/00583                | 4121-129         |

FORM PCT/DO/EO/905 (371 Formalities Notice)